

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

FRANK CUSANO,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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Civil Action No.
09-4214 (JBS)

ORDER

This matter came before the Court upon initial review of
Petitioner's application under 28 U.S.C. § 2241; and

For reasons stated in the Memorandum Opinion of today's
date;

IT IS, this 6th day of November, 2009,

ORDERED that the Petition for a Writ of Habeas Corpus
pursuant to 28 U.S.C. § 2241 is DENIED for lack of jurisdiction;
and it is further

ORDERED that, within thirty days from the date of entry of
this Order, Petitioner shall either remit his filing fee of \$
5.00 or file his duly executed application to prosecute this
matter in forma pauperis; and it is finally

ORDERED that the Clerk shall serve a copy of this Order upon
Petitioner by regular U.S. mail, together with a blank in forma
pauperis form for prisoners seeking habeas relief, and shall
close the file on this matter.

s/ Jerome B. Simandle

JEROME B. SIMANDLE
U.S. District Judge